

Message Text

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E.O. 11652 N/A
TAGS OEXC, SHUM, AR (PEDRO JOSE FRIAS, VIP)
SUBJECT IV NOMINATION

REF: A BUENOS AIRES 6338, B HIGGINS/HUBBERT
TELCON OF AUGUST 30

SUMMARY: SUPREME COURT JUSTICE DR PEDRO FRIAS
HAS "RELUCTANTLY" WITHDRAWN HIS ACCEPTANCE OF IV
GRANT DUE TO RECENT PUBLICITY GIVEN TRIP BY
LA NACION WHICH HE SAID RAISED THE SERIOUS
POSSIBILITY THAT HIS VISIT TO THE US MIGHT BE
MISCONSTRUED BY THE ARGENTINE PUBLIC AS "POLITICAL"
IN NATURE. THE UNDERLYING REASON, HOWEVER, APPEARS
TO BE STRONG GOA AND PUBLIC REACTIONS AGAINST THE
UNITED STATES DUE TO ASSISTANCE SECRETARY DERIAN'S
REMARKS ON THE HUMAN RIGHTS SITUATION IN ARGENTINA
AND EXIM'S RECENT PUBLIC REFUSAL OF FINANCING FOR
A MAJOR IRRIGATION PROJECT. END SUMMARY.

1. JUSTICE FRIAS CALLED ON THE AMBASSADOR
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ON THE AFTER NOON OF AUGUST 30 TO TELL US THAT WITH
GREAT RELUCTANCE AND DISAPPOINTMENT HE HAD COME
TO THE CONCLUSION THAT HE COULD NOT AT THIS TIME
ACCEPT THE AMBASSADOR'S "MUCH APPRECIATED"
INVITATION TO VISIT THE UNITED STATES AS AN
IV GRANTEE. FRIAS HAD BEEN SCHEDULED TO TRAVEL
SEPT 4.

2. THOUGH FRIAS MENTIONED THE VACANCY IN SUPREME COURT DUE TO THE RECENT DEATH OF COURT PRESIDENT HEREDIA AS HIS REASON, HE THEN GAVE PRIMARY EMPHASIS TO THE PUBLICATION OF A STORY ON HIS PENDING TRIP BY LA NACION ON AUGUST 13 (REFTEL). FRIAS SAID HE WAS CONCERNED THAT THE SPOTLIGHT THROWN ON HIS OFFICIAL INVITATION TO VISIT THE UNITED STATES BY WIDELY READ COLUMNIST CLAUDIO ESCRIBANO MIGHT GIVE RISE TO A PUBLIC MISCONCEPTION THAT THE TRIP WAS POLITICAL IN NATURE, WHICH WOULD BE UNFORTUNATE IN THE MEDIA ON US-ARGENTINE RELATIONS.

3. CITING THE NEED TO MAINTAIN THE POSTURE OF JUDICIAL IMPARTIALITY, HE STATED THAT THE NATURE OF HIS TRIP WAS CORRECTLY PERCEIVED IN GOVERNMENT CIRCLES WHERE IT HAD BEEN APPROVED AT THE HIGHEST LEVELS, BUT WIDESPREAD PUBLIC RESENTMENT OF RECENT US STATEMENTS AND ACTIONS COULD PROVIDE THE BASIS FOR UNFORTUNATE MISINTERPRETATIONS. HE SAID THE PUBLIC MIGHT PERCEIVE HIS TRIP AS A US EFFORT TO INFLUENCE THE OUTCOME OF THE TIMERMAN CASE.

4. IN RESPONSE TO PROBING BY THE AMBASSADOR, HOWEVER, IT BECAME APPARENT THAT "OFFICIAL STATE-UNCLASSIFIED

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MENTS" BY US OFFICIALS WHICH HE CALLED "UNBALANCED AND UNFAIR" HAD PLAYED A MAJOR PART IN HIS DECISION NOT TO TRAVEL AT THIS TIME. CITING DERIAN BY NAME, HE SPOKE LONG AND FORCEFULLY ABOUT HIS CONCERN THAT THE US, WHICH HAD NEVER EXPERIENCED A MAJOR TERRORIST UPRISING, DID NOT UNDERSTAND OR APPRECIATE WHAT ARGENTINA HAS SUFFERED THROUGH WAR WITH SUBVERSIVES WHO WERE TRYING TO TEAR APART THE FABRIC OF SOCIETY. HE SAID HE BELIEVED THE GOVERNMENT AND JUDICIAL SYSTEMS OF ARGENTINA WOULD BE CAPABLE OF HEALING THE NATION'S WOUNDS BUT THEY REQUIRED A MEASURE OF SELF CONFIDENCE IN ORDER TO MOVE FORWARD. FRIAS SAID THAT SOME OFFICIAL STATEMENTS BY ARGENTINA'S TRADITIONAL ALLIES SUCH AS THE US NOW ARE UNDERMINING THE GOA'S CONFIDENCE AND THEREFORE RETARDING THE REBUILDING PROCESS.

5. FRIAS AGAIN RAISED THE UNFORTUNATE TIMING OF THE LA NACION STORY AND SAID THAT HE HOPED TO MAKE A VISIT "IN SILENCE" TO THE UNITED STATES IN THE FUTURE.

COMMENT: THIS IS THE SECOND OFFICIAL INVITATION
REJECTED BY PROMINENT ARGENTINES RECENTLY.
DR LORENZO SIGAUT, GOVERNMENT ECONOMIC ADVISOR
AND POSSIBLE FUTURE MINISTER OF ECONOMY, UNINVITED
HIMSELF IN LATE JULY SAYING HE FELT IT WOULD BE
IMPROPER TO ACCEPT AN OFFICIAL INVITATION IN
THE LIGHT OF THE DEPARTMENT'S NEGATIVE RECOMMENDA-
TION ON THE EXIM CREDIT FOR THE YACRETA PROJECT.
HIGGINS

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